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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA  
AT ANCHORAGE

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YUKON DELTA FISHERIES DEVELOPMENT )  
ASSOCIATION, et al., )

Plaintiffs, )

v. )

NATIONAL MARINE FISHERIES SERVICE, )  
et al., )

Defendants. )

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Cause No. A05-245 CV (JKS)

**THIRD JOINT MOTION  
FOR STAY**

Plaintiffs and Defendants in this case, through counsel, hereby jointly move the Court to stay this case until September 15, 2006, or such earlier date as is consistent with this motion. In support of this motion, the parties state as follows:

1. Throughout the course of this case, the parties have been working to settle this matter. During the course of these negotiations, the parties have agreed that efforts would be better directed towards settlement as opposed to responding to the Complaint or preparation of the administrative record. To date, there have been three unopposed extensions of time to file the answer and the

administrative record in this case, and then two joint motions to stay this case. The stay currently expires on July 21, 2006 [*Docket No. 16*].

2. During the stays, Federal Defendants have finalized a rule clarifying most or all of the issues that are currently the subject of this litigation. That rule became effective on June 9, 2006. During the last stay, the parties had hoped to allow the effects of the rule play out enough such that the case could either be dismissed, or any remaining issues could be more specifically identified and the remaining case thus more narrowly focused. However, to date, the parties still need more information about the effects of the rule to make such a determination.

3. Accordingly, the parties now seek a stay of this case for an additional eight weeks -- to September 15, 2006 -- to allow the effects of the rule more fully play out. At or before the conclusion of this period, it is expected that the case can either be dismissed, or any remaining issues can be more specifically identified and the remaining case thus more narrowly focused.

Dated: July 21, 2006

Respectfully submitted,

SUE ELLEN WOOLDRIDGE  
Assistant Attorney General  
United States Department of Justice  
Environment and Natural Resources Division  
JEAN E. WILLIAMS, Section Chief  
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s/ Joseph H. Kim  
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Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2006, I caused the foregoing, together with a proposed order relating to the same, to be electronically filed with the Clerk of the Court using the CM/ECF System. Because counsel of record in this matter does not appear to have registered such that he will receive notification through the CM/ECF System, I have also mailed a copy of these documents on this date by first-class U.S. Mail, postage pre-paid, to the address indicated below:

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s/ Joseph H. Kim  
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